

## UNITED STATES DISTRICT COURT

for the

District of South Carolina

\_\_\_\_\_  
Alan L. Burns*Petitioner*

v.

\_\_\_\_\_  
Warden Wallace*Respondent*)  
)  
)  
)  
)  
)

Civil Action No. 4:23-cv-4829-JFA

**JUDGMENT IN A CIVIL ACTION**The court has ordered that *(check one)*:

☐ the petitioner *(name)* \_\_\_\_\_ recover from the respondent *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* \_\_\_\_\_ recover costs from the petitioner *(name)* \_\_\_\_\_.

☒ other: This petition is dismissed with prejudice and without requiring the respondent to file a return because the petition is untimely under the one-year limitations provision of the AEDPA, 28 U.S.C. § 2244(d). It is further ordered that a certificate of appealability is denied.

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Joseph F. Anderson, Jr., United States District Judge who adopted the Report and Recommendation of the Honorable Thomas E. Rogers, III, United States Magistrate Judge.

Date: January 24, 2024

ROBIN L. BLUME  
CLERK OF COURT

s/Debbie Stokes

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*